

CHAPTER NO. 506

SENATE BILL NO. 1596

By Norris

Substituted for: House Bill No. 509

By Pinion, Winningham, Hill, Davis, Cochran, McDonald, Todd, Campfield, DuBois, Coleman, Hargrove, Fitzhugh

AN ACT to amend Tennessee Code Annotated, Title 4, Title 54 and Title 55, relative to transportation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) FCA - Fellowship of Christian Athletes;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Fellowship of Christian Athletes new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall included the designation "FCA" and shall be designed in consultation with the Middle Tennessee area director of the Fellowship of Christian Athletes; provided that such area director shall consult with the area directors representing West and East Tennessee, respectively.

(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Middle Tennessee area Fellowship of Christian Athletes to be distributed in equal shares to the West Tennessee, Middle Tennessee and East Tennessee divisions of the Fellowship of Christian Athletes to be used in furtherance of such organizations' activities in Tennessee.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Nature Conservancy;

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Nature Conservancy new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the director of the Tennessee Chapter of the Nature Conservancy.

(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee Chapter of the Nature Conservancy to be used in furtherance of such organization's activities in Tennessee.

SECTION 5. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Big Brothers Big Sisters;

SECTION 6. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Big Brothers Big Sisters new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official logo or other emblem representative of the Big Brothers Big Sisters organization in an appropriate design. Such plates shall be designed in consultation with Big Brothers Big Sisters of Middle Tennessee.

(c) In accordance with § 55-4-215(a)(1), the funds produced from the sale of such new specialty earmarked license plates shall be allocated to Big Brothers Big Sisters of Middle Tennessee, who shall distribute such funds to eligible Big Brothers Big Sisters agencies across Tennessee. Such funds shall be used exclusively to fund programs and activities in furtherance of Big Brothers Big Sisters' mission to help children reach their potential through professionally supported, one-to-one relationships with measurable impact.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(5)(F), is amended by deleting such subdivision in its entirety and by redesignating subsequent subdivisions accordingly.

SECTION 8. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following language as a new subdivision to be appropriately designated:

() International Association of Firefighters;

SECTION 9. Tennessee Code Annotated, Section 55-4-260, is amended by deleting such section in its entirety and by substituting instead the following language:

(a) Owners or lessees of motor vehicles who are residents of Tennessee, and who are certified as members of the International Association of Firefighters, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an International Association of Firefighters new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The application for such new specialty earmarked plates shall be accompanied by proof satisfactory to the commissioner certifying the applicant to be a member of the International Association of Firefighters.

(c) The new specialty earmarked plates provided for in this section shall contain the logo of the International Association of Firefighters and shall be designed in consultation with the executive director of the Tennessee chapter of the International Association of Firefighters.

(d) Funds produced from the sale of International Association of Firefighters new specialty earmarked license plates shall be allocated to the Tennessee Firefighters Emergency Relief Fund in accordance with the provisions of § 55-4-215.

(e) An International Association of Firefighters new specialty earmarked license plate shall not convey any rights or privileges to the driver of a motor vehicle upon which such plates are displayed. No driver or passenger of a motor vehicle shall engage in any firefighting or emergency services situation unless such person is otherwise authorized by law to perform such duties.

SECTION 10. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by inserting the following as a new, appropriately designated subdivision:

() Tennessee Wildlife Federation;

SECTION 11. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by inserting the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Tennessee Wildlife Federation new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be designed in consultation with the executive director of the Tennessee Wildlife Federation.

(c) In accordance with § 55-4-215, the funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Tennessee Wildlife Federation to be used in furtherance of that organization's activities in Tennessee.

SECTION 12. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Eagle Scout;

SECTION 13. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an Eagle Scout new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain a pictorial representation of the Eagle Badge or other significant emblem in an appropriate design. Such plates shall be designed in consultation with the Tennessee Councils of the Boy Scouts of America.

(c) The funds produced from the sale of Eagle Scout new specialty earmarked license plates shall be allocated in accordance with the provisions of § 55-4-215; provided that the funds allocated pursuant to § 55-4-215(a)(1) shall be distributed in equal shares to the six (6) Tennessee Councils of the Boy Scouts of America, such Councils being currently known as: Cherokee Area Council, Chattanooga; Chickasaw Council, Memphis; Great Smoky Mountain Council, Knoxville; Middle Tennessee Council, Nashville; Sequoyah Council, Johnson City; and West Tennessee Council, Jackson. Such funds shall be used exclusively to fund programs and activities for Eagle Scouts in Tennessee.

SECTION 14. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee Food Bank Network;

SECTION 15. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Tennessee Food Bank network new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The purpose of such plates is to recognize the importance of providing food to Tennesseans in need and to emphasize some of the many positive values that Tennesseans embrace, including respect, compassion, self-sufficiency and honesty.

(c) The new specialty earmarked license plates provided for in this section shall contain a logo or other design that embodies the concepts delineated in subsection (b). Such plates shall be designed in consultation with the board of directors of the Tennessee Food Bank Network.

(d) Funds produced from the sale of Tennessee Food Bank Network new specialty earmarked license plates shall be allocated to the Tennessee Food Bank Network in accordance with the provisions of § 55-4-215.

SECTION 16. Tennessee Code Annotated, Section 55-4-265, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d) The funds produced from the sale of Ducks Unlimited specialty earmarked license plates authorized by this section shall be allocated to Ducks Unlimited in accordance with § 55-4-217.

SECTION 17. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Small mouth bass;

SECTION 18. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles who are residents of the state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a small mouth bass new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain a design of a small mouth bass and shall be designed in consultation with the executive director of the Tennessee Wildlife Resources Agency.

(c) The funds produced from the sale of such small mouth bass new specialty earmarked license plates shall be allocated to the Tennessee Wildlife Resources Agency in accordance with the provisions of § 55-4-215. Such funds shall be deposited in the wildlife resources fund established in § 70-1-401, to be used exclusively for management, protection, propagation and conservation of fish and wildlife species and the protection and enhancement of such species habitats.

SECTION 19. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 55-4-2__.(a) (1) Subject to the requirements of § 55-4-201, the commissioner is authorized, and shall issue, a registration plate to an owner or lessee of a motorcycle who is otherwise eligible for a National Guard plate enumerated in § 55-4-202(c)(3), a memorial plate enumerated in § 55-4-202(c)(4), or a military plate enumerated in § 55-4-202(c)(5)(I); provided, however, such owner or lessee shall comply with the state motor vehicle laws relating to registration and licensing of motorcycles and, except for an owner or lessee eligible for a memorial plate enumerated in § 55-4-202(c)(4) and as provided in § 55-4-228(d)(1)(A) for an enlisted National Guard member, pay the regular fee applicable to motorcycles and the applicable fee specified in § 55-4-203 prior to the issuance of any such plate.

(2) Nothing in this section shall be construed as authorizing the issuance of an additional plate or plates free of charge to an eligible owner or lessee, whether for a motorcycle, authorized motor vehicle, or a combination of the two (2), above the total number of free plates authorized by § 55-4-235 (former prisoners of war), § 55-4-236 (recipients of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross), § 55-4-237 (disabled veterans, including those disabled veterans who choose to receive the Purple Heart plate pursuant to § 55-4-237(d)), or § 55-4-228(d)(1)(A) (enlisted National Guard members), as applicable.

(b) The motorcycle plates authorized by this section shall be substantially the same in design and configuration, allowing for variations due to size restrictions, as the regular motor vehicle registration plates authorized by § 55-4-202(c)(5)(I)(i) for combat veterans, § 55-4-202(c)(5)(I)(vi) for the Marine Corps League, § 55-4-228 for National Guard members, § 55-4-231 for Silver Star and Bronze Star recipients, § 55-4-235 for former prisoners of war, § 55-4-236 for recipients of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, or the Air Force Cross, § 55-4-237 for disabled veterans, § 55-4-238 for Pearl Harbor survivors, § 55-4-239 for holders of the Purple Heart, § 55-4-242 for members of the United States reserve forces, § 55-4-243 for enemy evadees, § 55-4-244 for active and retired members of the United States military and the United States military reserves in good standing, § 55-4-253 for honorably discharged veterans, or § 55-4-318 for handicapped veterans, as applicable.

(c) The funds produced from the sale and renewal of such motorcycle plates shall be allocated in accordance with § 55-4-216 for the military plates enumerated in § 55-4-202(c)(5)(I), and in accordance with § 55-4-219 for the National Guard plates enumerated in § 55-4-202(c)(3) and the memorial plates enumerated in § 55-4-202(c)(4), as applicable.

SECTION 20. The Commissioner of Safety is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 21. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

(_) Friends of the Big South Fork National River and Recreation Area;

SECTION 22. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 55-4-2___. (a) An owner or lessee of a motor vehicle who is a resident of the State of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Friends of the Big South Fork National River and Recreation Area new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall be designed in consultation with a representative of Friends of the Big South Fork National River and Recreation Area, Inc.

(c) In accordance with § 55-4-215, the funds produced from the sale of such Friends of the Big South Fork National River and Recreation Area new specialty earmarked license plates shall be allocated to the Friends of the Big South Fork National River and Recreation Area, Inc. Such funds shall be used exclusively for the assistance of the National Park Service in the care of the Big South Fork National River and Recreation Area.

(d) The provisions of § 55-4-201(f) shall not apply to this section.

SECTION 23. Notwithstanding the time limitations of § 55-4-201(h)(1), the Tennessee Councils of the Boy Scouts of America new specialty earmarked license plates authorized for issuance pursuant to § 55-4-320 shall have one (1) year from the effective date of this act or until July 1, 2006, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 24. Notwithstanding the time limitations of § 55-4-201(h)(1), the Elephant Sanctuary in Tennessee new specialty earmarked license plates authorized for issuance pursuant to § 55-4-321 shall have one (1) year from the effective date of this act or until July 1, 2006, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 25. Notwithstanding the time limitations of § 55-4-201(h)(1), the Regional Medical Center at Memphis (The MED) new specialty earmarked license plates authorized for issuance pursuant to § 55-4-317 shall have one (1) year from the effective date of this act or until July 1, 2006, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 26. Notwithstanding the time limitations of § 55-4-201(h)(1), the American Cancer Society Relay for Life new specialty earmarked license plates authorized for issuance pursuant to § 55-4-316 shall have one (1) year from the effective date of this act or until July 1, 2006, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 27. Notwithstanding the time limitations of § 55-4-201(h)(1), The Children's Hospital at Johnson City Medical Center new specialty earmarked license plate authorized for issuance pursuant to § 55-4-313 shall have one (1) year from the effective date of this act or until July 1, 2006, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 28. Tennessee Code Annotated, Section 55-10-308, is amended by inserting the following language and punctuation at the end of the last sentence of the section:

; except that this restriction shall not apply to drug interdiction officers employed by any such municipality while such officers are actively serving with any judicial district drug force.

SECTION 29. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 27, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this day of 2005

PHIL BREDESEN, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had Senate Bill No. 1596 in his possession longer than ten (10) days; therefore, the bill becomes law without the Governor's signature.